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9 UNITED STATES DISTRICT COURT
10
11 NORTHERN DISTRICT OF CALIFORNIA
12
13 SAN FRANCISCO DIVISION

14 UNITED STATES OF AMERICA,

15 Plaintiff,

16 v.

17 VERNON WHITE,

18 Defendant.

No. 3 07 70011 JL

STIPULATION AND ~~[PROPOSED]~~
ORDER EXCLUDING TIME

19
20 On February 6, 2007, the parties in this case appeared before the Court and stipulated that
21 time should be excluded from the calculations under the Speedy Trial Act, Federal Rule of
22 Criminal Procedure 5.1, and 18 U.S.C. §3142(f)(2)(B) from February 6, 2007 to February 20,
23 2007 for effective preparation of counsel, in that defense counsel required additional time to
24 obtain and review information relevant to the government's motion for detention of defendant.
25 The parties represented that there is good cause for granting the continuance, and that it was the
26 reasonable time necessary for effective preparation of defense counsel, taking into account the
27 exercise of due diligence. See 18 U.S.C. § 3161(h)(8)(B)(iv). The parties also agreed that the
28 ends of justice served by granting such a continuance outweighed the best interests of the public

FILED

FEB 09 2007

RICHARD W. WIEKING
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

1 and the defendant in a speedy trial. See 18 U.S.C. § 3161(h)(8)(A).

2 SO STIPULATED:

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4 KEVIN V. RYAN
5 United States Attorney

6 DATED: February 6, 2007

7 /s/
8 JULIE A. ARBUCKLE
9 Assistant United States Attorney

10 DATED: February 7, 2007

11 /s/
12 STEVEN KALAR
13 Attorney for Defendant Vernon White

14 As the Court found on February 6, 2007, and for the reasons stated above, the Court finds
15 that the ends of justice served by the continuance outweigh the best interests of the public and the
16 defendant in a speedy trial and that time should be excluded from the calculations under the
17 Speedy Trial Act, Federal Rule of Criminal Procedure 5.1, and 18 U.S.C. §3142(f)(2)(B) from
18 Febraury 6, 2007 to February 20, 2007 for good cause and the effective preparation of defense
19 counsel. See 18 U.S.C. §3161 (h)(8)(A). The failure to grant the requested continuance would
20 deny counsel reasonable time necessary for effective preparation, taking into account the exercise
21 of due diligence, and would result in a miscarriage of justice. See 18 U.S.C. §3161(h)(8)(B)(iv).

22 SO ORDERED.

23 DATED: 2-9-07

24 Maria-Elena James
25 United States Magistrate Judge
26
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